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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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SUSAN BITTER SMITH - Chairman
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DOUG LITTLE
TOM FORESE

DEC 15 2015

DOCKETED BY

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
TRICO ELECTRIC COOPERATIVE, INC. AN
ARIZONA NONPROFIT CORPORATION, FOR
AN EXTENSION OF ITS CERTIFICATES OF
CONVENIENCE AND NECESSITY IN AREAS OF
PINAL COUNTY, ARIZONA.

DOCKET NO. E-01461A-15-0292

PROCEDURAL ORDER
(Schedules Hearing)

BY THE COMMISSION:

On August 14, 2015, Trico Electric Cooperative, Inc. ("Trico" or "Cooperative") filed with the Arizona Corporation Commission ("Commission") an Application for an extension of its Certificate of Convenience and Necessity ("CCN") to serve a portion of Pinal County, Arizona, including a portion of both the Sundance Ridge development and the SaddleBrooke development.

On December 14, 2015, the Commission's Utilities Division ("Staff") notified the Cooperative that its Application has met the sufficiency requirements as outlined in A.A.C. R14-2-202.

Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **February 25, 2016, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that Trico shall serve public notice of the hearing in this matter, in the following form and style, with the heading in no less than 12 point bold type and the body in no less than 10 point regular type:

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...

PUBLIC NOTICE OF HEARING ON APPLICATION BY
TRICO ELECTRIC COOPERATIVE, INC.
FOR EXTENSION OF ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY
DOCKET NO. E-01461A-15-0292

On August 14, 2016, Trico Electric Cooperative, Inc. ("Trico," "Cooperative," or "Applicant") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide electric utility service to a portion of Pinal County, Arizona, consisting of the Sundance Ridge development and a portion of the SaddleBrooke subdivision. If the application is granted, Trico would be the exclusive provider of electric service within the requested extension area, and would be required to provide service on the terms and conditions as established by the Commission. The Commission's Utilities Division ("Staff") has not yet made a recommendation regarding the Cooperative's application and the Commission is not bound by the proposals made by the Cooperative, Staff or intervenors. The Commission will issue a Decision regarding the Cooperative's application following consideration of testimony, and evidence presented at an evidentiary hearing.

How to Obtain a Copy of the Application

Copies of the application, Staff Report, and any written objections to the Staff Report filed by Trico will be available at the Cooperative's office [COMPANY INSERT ADDRESS]; the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona; the Commission's Tucson office at 400 West Congress Street, Suite 218, Tucson, Arizona 85701; and on the internet via the Commission's website (www.azcc.gov) using the e-Docket function.

Public Hearing Information

The Commission will hold a hearing on this matter on **February 25, 2016, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's Tucson offices, **Room 222, 400 West Congress Street, Tucson, Arizona 85701.**

Public comments will be taken at the beginning of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. E-01461A-15-0292 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by email. For a form to use and instructions on how to e-mail comments to the Commission, go to <http://www.azcc.gov/divisions/utilities/forms/PublicCommentForm.pdf>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene in the proceedings and participate as a party. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to Applicant or its counsel and to all parties of record. The motion must, at the minimum, contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from that of the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer or potential customer of the Applicant, a member or shareholder of

the Applicant, etc.).

3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 5, 2016. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/ Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Shaylin Bernal, E-mail SABernal@azcc.gov, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that **Trico shall mail to each property owner in the requested extended service territory**, a copy of this notice by first-class U.S. Mail, and shall cause the above notice to be published at least once in a newspaper of general circulation in the proposed extension area, with publication and mailing to be completed no later than **January 15, 2016**.

IT IS FURTHER ORDERED that Trico shall file certifications of mailing and publication as soon as practicable after the mailing is completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that the **Staff Report and any associated exhibits** to be presented at hearing shall be reduced to writing and filed on or before **February 11, 2016**.

IT IS FURTHER ORDERED that any objections or response to the Staff Report shall be reduced to writing and filed on or before **February 22, 2016**.

IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **February 5, 2016**.

IT IS FURTHER ORDERED that any **objections to Motions to Intervene** shall be filed on or before **February 12, 2016**.

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
2 Communications) applies to this proceeding as the matter is now set for public hearing.

3 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
4 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

5 IT IS FURTHER ORDERED that **all parties must comply with Rules 31 and 38 of the**
6 **Rules of the Arizona Supreme Court and A.R.S. §40-243** with respect to practice of law and
7 admission *pro hac vice*.

8 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
9 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
10 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
11 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
12 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
13 Law Judge or Commission.

14 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to
15 this matter may opt to receive service of all filings in this docket, including all filings by parties and
16 all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
17 Commission's Hearing Division, via email sent to an email address provided by the party rather than
18 via U.S. Mail. To exercise this option, a party shall:

- 19 1. Ensure that the party has a valid and active email address to which the party has
20 regular and reliable access ("designated email address");
- 21 2. Complete a Consent to Email Service form, available on the Commission's website
22 (www.azcc.gov);
- 23 3. File the original and 13 copies of the Consent to Email Service form with the
24 Commission's Docket Control, also providing service to each party to the service list;
- 25 4. Send an email, containing the party's name and the docket number for this matter, to
26 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to
27 allow the Hearing Division to verify the validity of the designated email address;
- 28

5. Understand and agree that service of a document on the party shall be complete upon the sending of an email containing the document to the designated email address, regardless of whether the party receives or reads the email containing the document; and

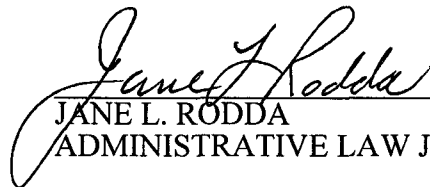
6. Understand and agree that the party will no longer receive service of filings in this matter through First Class U.S. Mail or any other form of hard-copy delivery, unless and until the party withdraws this consent through a filing made in this docket.

IT IS FURTHER ORDERED that a party's consent to email service shall not become effective until a Procedural Order is issued approving the use of email service for the party. The Procedural Order shall be issued only after the party has completed steps 1 through 4 above, and the Hearing Division has verified receipt of an email from the party's designated email address.

IT IS FURTHER ORDERED that a party's election to receive service of all filings in this matter via email does not change the requirement that all filings with the Commission's Docket Control must be made in hard copy and must include an original and 13 copies.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 15th day of December, 2015.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed this 15th day of December, 2015 to:

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CEO/General Manager
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Marana, AZ 85658

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